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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,904	12/14/2001	Pete A. Hawkins	2207/13516	4204

7590 08/13/2004

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EXAMINER

PATEL, NIMESH G

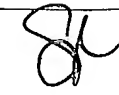
ART UNIT PAPER NUMBER

2112

DATE MAILED: 08/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/014,904	Applicant(s) HAWKINS ET AL. 	
	Examiner Nimesh G Patel	Art Unit 2112	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 12-15 and 23-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 16-22 and 27-30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>20011214, 20020711</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-11, 16-22, and 27-30, drawn to an intrasystem connection, classified in class 710, subclass 100.
 - II. Claims 12-15 and 23-26, drawn to bus faults, classified in class 714, subclass 43.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I and II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination(Group I) as claimed does not require the particulars of the subcombination(Group II) as claimed because the system can operate for its intended use without the logic for detection of failures. The subcombination has separate utility such as detecting bus or component faults.

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

4. During a telephone conversation with Kenneth Cool on August 4, 2004 a provisional election was made without traverse to prosecute the invention of I, claims 1-11, 16-22, and 27-30. Affirmation of this election must be made by applicant in replying to this Office action. Claims 12-15 and 23-26 withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Art Unit: 2112

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Information Disclosure Statement

6. The information disclosure statement filed July 11, 2002 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-4, 16-20, and 27-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Larson et al.(US2003/0033547), hereinafter referred to as Larson.

Art Unit: 2112

9. Regarding claim 1, Larson discloses a system comprising: a central management agent(Figure 3, 300E); and a field replaceable unit type specific management bus coupled to the central management agent(Figures 1, 3, and 5, Bus connects 114 to the processor 502).

10. Regarding claim 2, Larson discloses a system, wherein the system further comprises a plurality of field replaceable units of a first type(Figure 3, 114), which are coupled to the central management agent by said field replaceable unit type specific management bus.

11. Regarding claim 3, Larson discloses a system, wherein the system further comprises: a second field replaceable unit type specific management bus(Figures 1, 3, and 5, Bus connects 304 to the processor 502); and a second plurality of field replaceable units(Figure 3, 304) which are coupled to the central management agent by said second field replaceable unit type specific management bus.

12. Regarding claim 4, Larson discloses a system, wherein said field replaceable unit type specific management buses are Inter-IC buses(Paragraph 19).

13. Regarding claim 16, Larson discloses a system comprising: a chassis(Figure 1, 108); a first plurality of interchangeable components(Figure 3, 114) located within said chassis; a second plurality of interchangeable components(Figure 3, 304) located within said chassis; a central management agent(Figure 3, 300E) located within said chassis; a first management bus(Figures 1, 3, and 5; Bus connects 114 to the processor 502) coupled to the central management agent and coupled to each of the first plurality of interchangeable components, wherein the first management bus is not coupled to any other components; and a second management bus(Figures 1, 3, and 5, Bus connects 304 to the processor 502) coupled to the central management agent and coupled to each of the second plurality of interchangeable components, wherein the second management bus is not coupled to any other components.

Art Unit: 2112

14. Regarding claim 17, Larson discloses a system, wherein the system further comprises a central processing unit coupled to the central management agent(Figure 3, 300A).

15. Regarding claim 18, Larson discloses a system, wherein the first plurality of interchangeable components are power supplies(Figure 3, 114).

16. Regarding claim 19, Larson discloses a system, wherein the second plurality of interchangeable components are fan trays(Figure 3, 304).

17. Regarding claim 20, Larson discloses a system, wherein the central management agent is coupled to an external communication link(Paragraph 57).

18. Regarding claim 27, Larson discloses a system comprising: a central management agent(Figure 3, 300E); a first set of components of a first type(Figure 3, 114), wherein each of the components in said first set is interchangeable with the other components in said first set; a first management bus(Figures 1, 3, and 5; Bus connects 114 to the processor 502) that is coupled to the central management agent and to the first set of components and that is dedicated to the first set of components; a second set of components of a second type(Figure 3, 304), wherein each of the components in said second set is interchangeable with the other components in said second set but is not interchangeable with the components in said first set; and a second management bus(Figures 1, 3, and 5, Bus connects 304 to the processor 502) that is coupled to the central management agent and to the second set of components and that is dedicated to the second set of components.

19. Regarding claim 28, Larson discloses a system, wherein the central management agent is adapted to manage the hardware in a subsystem in a computer system(Paragraph 19).

20. Regarding claim 29, Larson discloses a system, wherein the central management agent is an abstracting agent(Paragraph 19).

Claim Rejections - 35 USC § 103

21. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

22. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

23. Claims 5, 11 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larson, in view of Carlson et al.('304).

24. Regarding claim 5, Larson does not specifically disclose a second central management agent. However, Carlson discloses a first and a second central management agent(Figure 1). Therefore it would have been obvious to use a second central management agent in the system of Larson, to achieve redundancy so as to prevent complete system failure in the event of the first central management agent failing.

25. Regarding claim 11, Larson does not specifically disclose a second central management agent. However, Carlson discloses a first and a second central management agent(Figure 1). Therefore it would have been obvious to use a second central management agent in the system of Larson, to achieve redundancy so as to prevent complete system failure in the event of the first central management agent failing.

Art Unit: 2112

26. Regarding claim 21, Larson does not specifically disclose a second central management agent. However, Carlson discloses a first and a second central management agent(Figure 1).

Therefore it would have been obvious to use a second central management agent in the system of Larson, to achieve redundancy so as to prevent complete system failure in the event of the first central management agent failing.

27. Claims 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larson.

28. Regarding claim 6, Larson discloses a system comprising: a central management agent(Figure 3, 300E); a field replaceable unit of a first type(Figure 3, 324); a first management bus coupling the central management agent to only the first type of field replaceable unit(Figures 1, 3, and 5, Bus connects 324 to the processor 502); a plurality of field replaceable units of a second type(Figure 3, 114); and a second management bus coupling the central management agent to only the second type of field replaceable unit(Figures 1, 3, and 5, Bus connects 114 to the processor 502).

Larson does not specifically disclose a plurality of field replaceable units of a first type. However, OFFICIAL NOTICE is being taken that the use of a plurality of field replaceable units is well known in the art for the purposes of redundancy to maintain a functional system in the event of a failure of a component. Therefore it would have been obvious to use a plurality of a plurality of field replaceable units of the first type in the system of Larson, to achieve redundancy so as to prevent complete system failure in the event of the a single field replaceable unit failing.

29. Regarding claim 7, Larson discloses a system, wherein the central management agent is a processor(Figure 5, 502).

Art Unit: 2112

30. Regarding claim 8, Larson discloses a system, wherein the plurality of field replaceable units of a first type are temperature sensors (figure 3, 324) and the plurality of field replaceable units of a second type are power supplies (Figure 3, 114).

31. Regarding claim 9, Larson discloses a system, further comprising: a plurality of a third type of field replaceable unit (Figure 3, 304); and a third management bus coupling the central management agent to only the third type of field replaceable unit (Figures 1, 3, and 5, Bus connects 304 to the processor 502).

32. Regarding claim 10, Larson discloses a system, wherein the plurality of field replaceable units of a third type are fan trays (Figure 3, 304).

33. Claims 22 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larson, in view of Jewett et al. ('251).

34. Regarding claim 22, Larson does not specifically disclose a redundant first management bus coupled to the central management agent and coupled to each of the first plurality of interchangeable components, wherein the first management bus is not coupled to any other components. However, Jewett discloses a redundant first management bus coupled to the central management agent (Figure 13; 167-1, 167-2). Therefore it would have been obvious to use a redundant first management bus coupled to the central management agent in the system of Larson, to achieve redundancy so as to prevent complete system failure in the event of the first management bus failing.

35. Regarding claim 30, Larson discloses a system, further comprising a third management bus (Figures 1, 3, and 5, Bus connects 304 to the processor 502) that is coupled to the central management agent.

Larson does not disclose a third management bus coupling to the first set of components and that is dedicated to the first set of components. However, Jewett discloses a redundant

Art Unit: 2112

management bus coupled to the central management agent(Figure 13; 167-1, 167-2). Therefore it would have been obvious to use a third management bus coupled to the central management agent in the system of Larson, to achieve redundancy so as to prevent complete system failure in the event of the first management bus failing.

Conclusion

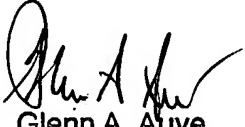
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nimesh G Patel whose telephone number is 703-305-7583. The examiner can normally be reached on M-F, 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark H Rinehart can be reached on 703-305-4815. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nimesh G Patel
Examiner
Art Unit 2112

NP NP
August 6, 2004


Glenn A. Auve
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